

**UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO
SENTENCING MINUTE SHEET**

CR No:	14-455 WJ		USA vs.:	Smith						
Date:	February 19, 2015		Name of Deft:	Brandon Smith						
Before the Honorable:		William P. Johnson								
Time In/Out:	9:24am – 9:33am			Total Time in Court (for JS10):	9 minutes					
Clerk:	R. Garcia			Court Reporter:	M. Loughran					
AUSA:	Reeve Swainston			Defendant's Counsel:	Marc Lowry					
Sentencing in:	Albuquerque, NM			Interpreter:	N/A					
Probation Officer:	C. Cde Baca			Sworn?	<input checked="" type="checkbox"/>	Yes		No		
Convicted on:	<input checked="" type="checkbox"/>	Plea		Verdict	As to:		<input type="checkbox"/>	Information	<input checked="" type="checkbox"/>	Indictment
If Plea:	<input checked="" type="checkbox"/>	Accepted		Not Accepted	Adjudged/Found Guilty on Counts:		Ct. 6			
If Plea Agreement:	<input checked="" type="checkbox"/>	Accepted		Not Accepted	No Plea Agreement		Comments: Rule 11(c)(1)(C)			
Date of Plea/Verdict:	11/14/2014			PSR:	<input checked="" type="checkbox"/>	Not Disputed		Disputed		
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:	<input checked="" type="checkbox"/>	Not Needed		Needed	
Exceptions to PSR:										
SENTENCE IMPOSED			Imprisonment (BOP): 60 months							
Supervised Release:	3 years			Probation:				<input checked="" type="checkbox"/>	500-Hour Drug Program and any educational/vocational programs available.	
	Court recommends ICE begin removal proceedings immediately or during service of sentence								ICE not applicable	
SPECIAL CONDITIONS OF SUPERVISION										
	No re-entry without legal authorization				Home confinement for ____ months ____ days					
	Comply with ICE laws and regulation				Community service for ____ months ____ days					
<input checked="" type="checkbox"/>	Participate in/successfully complete subst abuse program/testing				Reside halfway house ____ months ____ days					
	Participate in/successfully complete mental health program				Register as sex offender					
<input checked="" type="checkbox"/>	Refrain from use/possession of alcohol/intoxicants				Participate in sex offender treatment program					
<input checked="" type="checkbox"/>	Submit to search of person/property				Possess no sexual material					
<input checked="" type="checkbox"/>	No contact with co-defendant(s) w/out prior approval of Probation				No computer with access to online services					
	No entering or loitering near victim's residence				No contact with children under 18 years					
	Provide financial information				No volunteering where children supervised					
	Grant limited waiver of confidentiality				Restricted from occupation with access to children					
					No loitering within 100 feet of school yards					
<input checked="" type="checkbox"/>	1. Deft must not possess a firearm, ammunition, destructive device, etc. 2. Deft must cooperate in the collection of DNA, as directed by statute 3. Deft must refrain from the use and possession of synthetic cannabinoids or other legally sold designer drugs									
Fine:	\$ <input type="text" value="0.00"/>				Restitution:	\$ <input type="text" value="0.00"/>				
SPA:	\$ <input type="text" value="100.00"/>	(\$100) as to each Count			Payment Schedule:	<input checked="" type="checkbox"/>	Due Imm.		Waived	
OTHER:	Consistent with a stipulation in the Plea Agreement, the deft forfeits his rights, title, and interest in all assets outlined in paragraph 15 of the plea agreement									
	Advised of Right to Appeal		<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement						
<input checked="" type="checkbox"/>	Held in Custody			Voluntary Surrender						
<input checked="" type="checkbox"/>	Recommended place(s) of incarceration:		FCI Florence, CO.							

	Dismissed Counts:	
	OTHER COMMENTS:	PSR reviewed w/client; no objections/corrections. The Government requests that the Court accept the 11(c)(1)(C) Plea Agreement. Mr. Lowry requests that the Court accept the plea agreement. Defendant addresses the Court. The Court accepts the 11(c)(1)(C) Plea Agreement.